

### **REMARKS**

This Amendment is responsive to the Office Action dated July 1, 2009. Applicant has amended claims 7, 33, 56, 62 and 65, and canceled claims 97 and 98. Claims 1-9, 11-26, 28-40, 42-44, 47-53, 56-62, 65, 66 and 93-96 are pending.

#### **Allowable Subject Matter**

The Office Action indicated that claims 1-6, 11-26, 28-32, 38-40, 44, 47-53, 60, 61, and 93-96 are allowable in their present form. The Office Action objected to minor informalities in claims 7-9, 56-59, 62, 65 and 66, and rejected claims 33-37, 42 and 42 under 35 U.S.C. § 112, second paragraph. The Office Action indicated that claims 33-37, 42 and 43 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. § 112, second paragraph, and implicitly indicated that claims 7-9, 56-59, 62, 65 and 66 would be allowable if rewritten to correct the minor informalities. Applicant has amended claims 7, 56, 62 and 65 as suggested by the Examiner, and amended claim 33 to correct the antecedent basis issue identified by the Examiner. Furthermore, Applicant has canceled claims 97 and 98 which were rejected under 35 U.S.C. § 102(b). Therefore, Applicant submits that all pending claims (-9, 11-26, 28-40, 42-44, 47-53, 56-62, 65, 66 and 93-96) are in condition for immediate allowance.

#### **Claim Objections**

In the Office Action, the Examiner objected to claims 7-9, 56-59, 62, 65 and 66 as including informalities. Applicant has amended claims 7, 56, 62 and 65 as suggested by the Examiner. Applicant respectfully requests withdrawal of this objection.

#### **Claim Rejection Under 35 U.S.C. § 112**

In the Office Action, the Examiner rejected claims 33-37, 42 and 43 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.. In particular, the Examiner indicated that there was insufficient antecedent basis for the term "the network layer device" in claim 33, from which claims 34-37, 42 and 44 depend. Applicant has amended claim 33 for purposes of clarification. Applicant submits that claims, as amended, particularly point out and

distinctly claim the subject matter, as required by 35 U.S.C. 112, second paragraph, and requests that this rejection be withdrawn.

**Claim Rejection Under 35 U.S.C. § 102**

In the Office Action, the Examiner rejected claims 97 and 98 under 35 U.S.C. § 102(b) as being anticipated by Hoebeke et al. (EP 1134932). Applicant respectfully traverses the rejection. Hoebeke et al. (EP 1134932) fails to disclose each and every feature recited in claims 97 and 98, as required by 35 U.S.C. § 102(b), and provides no teaching that would have suggested the an objective reason for modification to include such features.

Nevertheless, in the interest of expediting the allowance of this application, Applicant has canceled claims 97 and 98, rendering this rejection moot. Applicant does not acquiesce in the rejection or the Examiner's characterizations of the claims and Hoebeke et al. Applicant reserves the right to present claims 97 and 98, or similar claims, in one or more continuing applications.

**CONCLUSION**

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

October 1, 2009

SHUMAKER & SIEFFERT, P.A.


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